



UNITED STATES PATENT AND TRADEMARK OFFICE

Handwritten signature/initials

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,950	11/09/2003	Chih-Wen Huang	PMXP0172USA	2949
27765	7590	08/11/2006	EXAMINER	
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			SAEED, USMAAN	
			ART UNIT	PAPER NUMBER

2166

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/605,950		HUANG, CHIH-WEN	
	Examiner		Art Unit	
	Usmaan Saeed		2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Receipt of Applicant's Amendment, filed on 5/12/2006 is acknowledged.
Claim 1 has been amended and claim 16 has been cancelled.

Specification

2. The amended specification was received on 5/12/2006 and is acceptable.

Drawings

3. The amended specification received on 5/12/2006 overcomes the drawing rejections and is acceptable.

Claim Rejections - 35 USC § 112

4. Claim 16 has been cancelled therefore 112 second paragraph rejection has been withdrawn.

Priority

5. As mentioned in the first office action, if applicant desires to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a

Art Unit: 2166

translation of the foreign application should be submitted under 37 CFR 1.55 in reply to this action.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10, 21, 24-28 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by **Jones et al.** (**Jones** hereinafter) (U.S. PG PUB No. 2002/0118949).

With respect to claim 1, **Jones** teaches a **file managing method for a digital apparatus comprising:**

“(a) capturing a file with the digital apparatus and establishing a folder corresponding to a file type of the file generated in an operational mode of the digital apparatus; and (b) storing the file according to its file type in the folder corresponding to the file type established in step (a)” as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and can add audio annotations. The Fuji

Art Unit: 2166

Finepix 40i camera takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016).

An output from the digital processor 117 is created in folders (sub-directories) complying with the CD-ROM(XA) and Video CD (White Book) standards and also includes, in a preferred embodiment, a "PICTURES" folder (with files compatible with the PictureCD specification), a "VIDEOS" folder (with files compatible with the MPEG-1 standard), an "AUDIO" folder (with files compatible with the WAV standard), and, optionally, an "OTHERS" folder (with files otherwise compatible with ISO 9660) (**Jones** Paragraph 0027).

Further **Jones** teaches "**capturing a file with digital apparatus**" as the still image source 101 is expect to provide a digital representation. A source of digital video content 105. An audio content, which can be associated with the video source 105 (as is often the case) or associated with the still image source 101 (as is becoming increasingly common with digital cameras and the short video clips often created by still image cameras), or which provide stand-alone audio information (**Jones** Paragraph 0022).

With respect to claim 2, **Jones** teaches "**the method of claim 1, further comprising utilizing corresponding applications to open the file in the digital apparatus according to the name of the folder established in step (a)**" as digitally

Art Unit: 2166

recorded movies and digitally recorded music are accessible and enjoyable without any computer involvement (**Jones** Paragraph 0005).

With respect to claim 3, **Jones** teaches **“the method of claim 1, wherein step (a) automatically establishes the folder corresponding to the file type generated in the operational mode when the operational mode is selected”** as an output from the digital processor 117 is created in folders (sub-directories) complying with the CD-ROM(XA) and Video CD (White Book) standards and also includes, in a preferred embodiment, a “PICTURES” folder (with files compatible with the PictureCD specification), a “VIDEOS” folder (with files compatible with the MPEG-1 standard), an “AUDIO” folder (with files compatible with the WAV standard), and, optionally, an “OTHERS” folder (with files otherwise compatible with ISO 9660) (**Jones** Paragraph 0027). The folders are created according to file types generated in the operational mode.

With respect to claim 4, **Jones** teaches **“the method of claim 1, wherein the operational mode comprises a typical picture mode”** as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and can add audio annotations. The Fuji Finepix 40i camera takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016).

Claim 26 is essentially the same as claim 4 except it sets forth the claimed invention as an apparatus and is rejected for the same reasons as applied hereinabove.

With respect to claim 5, **Jones teaches the method of claim 1, wherein the operational mode comprises a motion picture mode**” as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and can add audio annotations. The Fuji Finepix 40i camera takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3 Audio) player (**Jones Paragraph 0016**).

Claim 27 is essentially the same as claim 5 except it sets forth the claimed invention as an apparatus and is rejected for the same reasons as applied hereinabove.

With respect to claim 6, **Jones teaches “the method of claim 1, wherein the operational mode comprises a recording mode**” as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and can add audio annotations. The Fuji Finepix 40i camera takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3 Audio) player (**Jones Paragraph 0016**).

Claim 28 is essentially the same as claim 6 except it sets forth the claimed invention as an apparatus and is rejected for the same reasons as applied hereinabove.

With respect to claim 7, **Jones** teaches **“the method of claim 1, wherein step (a) automatically establishes the folder corresponding to the file type when data is captured by the digital apparatus”** as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and can add audio annotations. The Fuji Finepix 40i camera takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016).

An output from the digital processor 117 is created in folders (sub-directories) complying with the CD-ROM(XA) and Video CD (White Book) standards and also includes, in a preferred embodiment, a “PICTURES” folder (with files compatible with the PictureCD specification), a “VIDEOS” folder (with files compatible with the MPEG-1 standard), an “AUDIO” folder (with files compatible with the WAV standard), and, optionally, an “OTHERS” folder (with files otherwise compatible with ISO 9660) (**Jones** Paragraph 0027). The folders are being created automatically according to the file types (audio, video or sound), which are being captured by the digital apparatus.

With respect to claim 8, **Jones** teaches **“the method of claim 7, wherein the digital apparatus utilizes an image capturing module to capture image data, and automatically establishes the folder corresponding to the file type of the image data”** as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and can add audio annotations. The Fuji Finepix 40i camera takes 2.4 megapixel stills, 80

Art Unit: 2166

second quarter-VGA video files with sound (that are quite compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016).

An output from the digital processor 117 is created in folders (sub-directories) complying with the CD-ROM(XA) and Video CD (White Book) standards and also includes, in a preferred embodiment, a "PICTURES" folder (with files compatible with the PictureCD specification), a "VIDEOS" folder (with files compatible with the MPEG-1 standard), an "AUDIO" folder (with files compatible with the WAV standard), and, optionally, an "OTHERS" folder (with files otherwise compatible with ISO 9660) (**Jones** Paragraph 0027).

With respect to claim 9, **Jones** teaches **"the method of claim 7, wherein the digital apparatus utilizes a recording module to capture sound data, and automatically establishes the folder corresponding to the file type of the sound data"** as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and can add audio annotations. The Fuji Finepix 40i camera takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016).

An output from the digital processor 117 is created in folders (sub-directories) complying with the CD-ROM(XA) and Video CD (White Book) standards and also includes, in a preferred embodiment, a "PICTURES" folder (with files compatible with

Art Unit: 2166

the PictureCD specification), a "VIDEOS" folder (with files compatible with the MPEG-1 standard), an "AUDIO" folder (with files compatible with the WAV standard), and, optionally, an "OTHERS" folder (with files otherwise compatible with ISO 9660) (**Jones Paragraph 0027**).

With respect to claim 10, **Jones teaches "the method of claim 1, wherein step (b) compares the name of the folder established in step (a) with a file name extension of the file in order to store the file corresponding to the operational mode of the digital apparatus in the folder established in step (a)" as (Jones Paragraph 0028)**

With respect to claim 21, **Jones teaches "the method of claim 1, wherein the digital apparatus is a digital camera"** as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and can add audio annotations. The Fuji Finepix 40i camera takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3 Audio) player (**Jones Paragraph 0016**).

Claim 30 is essentially the same as claim 21 except it sets forth the claimed invention as an apparatus and is rejected for the same reasons as applied hereinabove.

With respect to claim 24, **Jones** teaches **“a digital apparatus for implementing the method of claim 1”** as Figure 1A.

With respect to claim 25, **Jones** teaches **“a digital apparatus with a plurality of operational modes, the digital apparatus comprising: a receiving module for capturing a file; a control module for switching the operational modes of the digital apparatus; a folder establishing module for establishing a folder corresponding to a file type generated in a specific operational mode of the digital apparatus; and a memory module for storing the file captured by the receiving module according to its file type to the folder corresponding to the file type established by the folder establishing module”** as the HP PhotoSmart 912 camera captures 2.24 megapixel still images and can add audio annotations. The Fuji Finepix 40i camera takes 2.4 megapixel stills, 80 second quarter-VGA video files with sound (that are quite compelling when viewed on a television screen), and has a built-in MP3 (Motion Picture Experts Group 1, Layer 3 Audio) player (**Jones** Paragraph 0016). An output from the digital processor 117 is created in folders (sub-directories) complying with the CD-ROM(XA) and Video CD (White Book) standards and also includes, in a preferred embodiment, a “PICTURES” folder (with files compatible with the PictureCD specification), a “VIDEOS” folder (with files compatible with the MPEG-1 standard), an “AUDIO” folder (with files compatible with the WAV standard), and, optionally, an “OTHERS” folder (with files otherwise compatible with ISO 9660) (**Jones** Paragraph 0027). Today's digital cameras use either built-in or removable memory. Inexpensive

Art Unit: 2166

cameras typically offer a few megabytes of built-in memory, and more expensive cameras have a slot for CompactFlash, SmartMedia, Memory Stick, or similar large memory capacity modules (**Jones** Paragraph 0016).

Further **Jones** teaches “**capturing a file with digital apparatus**” as the still image source 101 is expect to provide a digital representation. A source of digital video content 105. An audio content, which can be associated with the video source 105 (as is often the case) or associated with the still image source 101 (as is becoming increasingly common with digital cameras and the short video clips often created by still image cameras), or which provide stand-alone audio information (**Jones** Paragraph 0022).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-15, 17-18, 22, 29, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jones et al.** (U.S. PG PUB No. 2002/0118949) as applied to claims 1-10, 21, 24-28 and 30 above, in view of **Ronald M. Perkes**. (**Perkes** hereinafter) U.S. PG Pub No. 2003/0110503.

With respect to claims 11, 12, 13 and 14, Jones does not explicitly teaches **“setting up a shortcut to transmit the file in the corresponding folder to another digital apparatus when the shortcut is executed, when the shortcut is executed, all files of the same file type stored in the corresponding folder are transmitted to the other digital apparatus, the shortcut is executed by a hot key, and other digital apparatus is a computer.”**

However, Perkes discloses **“setting up a shortcut to transmit the file in the corresponding folder to another digital apparatus when the shortcut is executed, when the shortcut is executed, all files of the same file type stored in the corresponding folder are transmitted to the other digital apparatus, the shortcut is executed by a hot key, and other digital apparatus is a computer”** as a collection that includes one or more digital media types for broadcast using a variety of third-party applications such as are commonplace on the personal computer, or through special client software tools that allow the Broadcaster to select an organize digital media files in a chosen order, insert text or graphics or other similar objects, and to save and store that organized media ("Broadcast Segment") and link it to a specific button on the user interface of the software program, which button is known as a "Channel, which operates as a residence for the Broadcast Segment (**Perkes Paragraph 0077**). The Broadcaster then initiates an Intention to transmit Notice, which is either sent to the Master Agent or, alternatively, can be sent directly to the Viewer. The on line/off line status of the Viewers computer is determined by the Master Agent (**Perkes Paragraph 0078**).

Art Unit: 2166

Examiner interprets viewer's computer as other digital apparatus and the shortcut/hot key as button.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Perkes's** teachings would have allowed **Jones** to organize, publish, distribute (collectively broadcasting) and displaying digital media such as digital audio, digital video, digital photos in a seamless and easily navigable viewing (**Perkes** Paragraph 0077).

Claim 29 is essentially the same as claims 11, 12, and 13 except it sets forth the claimed invention as an apparatus and is rejected for the same reasons as applied hereinabove.

With respect to claims 15, 17, and 18 **Jones** does not explicitly teach, **"the files stored in the corresponding folder are transmitted to the other digital apparatus using wireless network technology, the wireless network technology refers to infrared transmission, and the files stored in the corresponding folder are transmitted to the other digital apparatus using a cable."**

However, **Perkes** discloses, **"the files stored in the corresponding folder are transmitted to the other digital apparatus using wireless network technology, the wireless network technology refers to infrared transmission, and the files stored in the corresponding folder are transmitted to the other digital apparatus using a cable"** as the present invention optionally utilizes at the consumer end a computing

Art Unit: 2166

based Appliance with continuous Internet access, such as a DSL, wireless or cable connection (**Perkes** Paragraph 0037). In most wireless systems, radio frequency (RF) or infrared transmission (IR) waves are used (**Perkes** Paragraph 0197). Bluetooth is a computing and telecommunications industry specification that describes how mobiles phones, computers, and personal digital assistants (PDA's) can easily interconnect with each other and with home and business phones and computers using a short-range wireless connection (**Perkes** Paragraph 0200).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Perkes's** teachings would have allowed **Jones** to provide easy and reliable connection, which enables the digital apparatuses to communicate with other digital apparatuses or other Internet accessible appliances (**Perkes** Paragraph 0035).

With respect to claim 22, **Jones** does not explicitly teach, **“the method of claim 1, wherein the digital apparatus is a mobile phone.”**

However, **Perkes** discloses **“the method of claim 1, wherein the digital apparatus is a mobile phone”** as Bluetooth is a computing and telecommunications industry specification that describes how mobiles phones, computers, and personal digital assistants (PDA's) can easily interconnect with each other and with home and business phones and computers using a short-range wireless connection (**Perkes** Paragraph 0200).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Perkes's** teachings would have allowed **Jones** to organize, publish, distribute (collectively broadcasting) and displaying digital media such as digital audio, digital video, digital photos in a seamless and easily navigable viewing (**Perkes** Paragraph 0077).

Claim 31 is essentially the same as claim 22 except it sets forth the claimed invention as an apparatus and is rejected for the same reasons as applied hereinabove.

Claims 19-20, 23, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jones et al.** (U.S. PG PUB No. 2002/0118949) as applied to claims 1-10, 21, 24-28 and 30 above, in view of **Dan Huang**. (**Huang** hereinafter) U.S. PG Pub No. 2004/0098379.

With respect to claims 19 and 20, **Jones** does not explicitly teaches “**the method of claim 1, further comprising automatically establishing a folder in the other digital apparatus corresponding to the file type when transmitting the files stored in the corresponding folder to the other digital apparatus and the other digital apparatus is a computer.**”

However, **Huang** discloses “**the method of claim 1, further comprising automatically establishing a folder in the other digital apparatus corresponding to the file type when transmitting the files stored in the corresponding folder to the**

Art Unit: 2166

other digital apparatus and the other digital apparatus is a computer” as the system automatically determine where and how the files are to be copied. Figure one shows the importation file process. Once a group of files are selected for import, the process begins by getting the next file on the import list 110. The system then determines the file type, that is, whether the file type is an audio file or a picture file or a video file 112. The system then finds a file date or assigns a file date 114. The system then constructs a destination path based on file type and the date assigned 116. The date assigned can be the file importation date or the file creation date. The file name conflict is resolved preferably by appending a number to the end of the file name 118. The file can then be copied into the destination folder 120. (**Huang** Paragraph 0020).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Huang's** teachings would have allowed **Jones** to organize and manage digital audio, image and video file (**Hunag** Paragraph 0017) by auto generation of folder structures, based on file types such as my pictures and my videos automatically when they are imported (**Hunag** Paragraph 0065).

With respect to claim 23, **Jones** teaches “**the method of claim 19, wherein the digital apparatus is a digital camcorder**” as similarly a consumer today can buy a film camera or a video camcorder (even a digital video camcorder) and happily use it without any knowledge of computers (**Jones** Paragraph 005).

Claim 32 is essentially the same as claim 23 except it sets forth the claimed invention as an apparatus and is rejected for the same reasons as applied hereinabove.

Response to Arguments

Applicant's arguments filed on 5/12/2006 have been fully considered but they are not persuasive.

Regarding claims 1 and 25 applicant argues that **Jones** does not teach, "a digital apparatus that captures files, establishes folder corresponding to the captured files in the established folders. Although the digital processor 117 puts files into subdirectories on the CD, the digital processor does not capture the files. Therefore, Jones does not teach a digital apparatus that stores files in different folder as the files are captured."

In response to the preceding argument, Examiner respectfully submits that **Jones** teaches "**a digital apparatus that captures files**" as the still image source 101 is expect to provide a digital representation. A source of digital video content 105. An audio content, which can be associated with the video source 105 (as is often the case) or associated with the still image source 101 (as is becoming increasingly common with digital cameras and the short video clips often created by still image cameras), or which provide stand-alone audio information (**Jones** Paragraph 0022). "**establishes folder corresponding to the captured files in the established folders**" as an output from

Art Unit: 2166

the digital processor 117 is created in folders (sub-directories) complying with the CD-ROM(XA) and Video CD (White Book) standards and also includes, in a preferred embodiment, a "PICTURES" folder (with files compatible with the PictureCD specification), a "VIDEOS" folder (with files compatible with the MPEG-1 standard), an "AUDIO" folder (with files compatible with the WAV standard), and, optionally, an "OTHERS" folder (with files otherwise compatible with ISO 9660) (**Jones** Paragraph 0027). Therefore the files captured by the digital apparatus are being generated in an operational mode of a digital apparatus and stored in a folder according to its file type.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usmaan Saeed whose telephone number is (571)272-4046. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Usmaan Saeed
Patent Examiner
Art Unit: 2166


Leslie Wong
Primary Examiner

US
July 25, 2006